

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Yulian Cruz Santa Cruz**

Case Number: **2:18CR00372**

Name of Sentencing Judicial Officer: **Honorable B. Lynn Winmill**

Date of Original Sentence: **July 28, 2017**

Original Offense: **Wire Fraud**

Original Sentence: **4 Months prison, followed by 36 Months TSR**

Date Supervision Commenced: **October 24, 2018**

Date Jurisdiction Transferred to District of Nevada: **November 19, 2018**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Shall Not Commit Crime** - The defendant shall not commit another federal state or local crime.

According to a Las Vegas Metropolitan Police Department Declaration of Arrest Report, on November 11, 2019 at 6:28 a.m., officers conducted a traffic stop of a white Mercedes Benz for speeding. Officers identified the driver as Cruz Santa Cruz and record checks revealed he had several active warrants for his arrest originating from the Las Vegas Justice Court that had been issued on October 17, 2019. Cruz Santa Cruz was also arrested for Driving Without a License NRS 483.550; Battery Domestic Violence with

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Substantial Bodily Harm (F) NRS 200.485.5; Battery (M) NRS 200.481.1A, and Domestic Battery (M) NRS 200.485.1A. He was transported to the Clark County Detention Center for processing.

At this time, he remains in state custody on a \$50,000 bond and is scheduled for a preliminary hearing on November 26, 2019 at 10:00 a.m.

2. **Drug Testing** – You must submit to substance abuse testing to determine if you have used a prohibited substance. *Testing shall not exceed 104 tests per year.* You must not attempt to obstruct or tamper with the testing methods.

On October 26, 2018 Cruz Santa Cruz was enrolled un the drug testing program because of a urine specimen he submitted at the U.S. Probation Office that tested positive for both marijuana and cocaine. Since commencing his drug testing program, Cruz Santa Cruz has failed to participate in drug testing and has missed testing on the following dates: February 5, 2019, March 4, 2019, April 29, 2019, June 20, 2019, June 24, 2019, September 15, 2019, and September 28, 2019.

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked


I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **November 15, 2019**

Margarita
Hernandez Powell
2019.11.15 15:18:02
-08'00'

Margarita Hernandez Powell
United States Probation Officer

Approved:

 Digitally signed by Brian
Blevins
Date: 2019.11.15 15:12:01
-08'00'

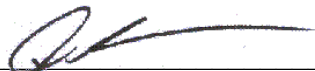
Brian Blevins
Supervisory United States Probation Officer

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THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

11/15/2019

Date

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. YULIAN CRUZ SANTA CRUZ, 2:18CR00372**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
November 15, 2019**

By way of case history, on July 28, 2017, Yulian Cruz Santa Cruz was sentenced in the District of Idaho by the Honorable B. Lynn Winmill to four-months imprisonment and three-years supervised release for committing the offense of Wire Fraud. Supervision commenced on October 24, 2018 in the District of Nevada.

On November 9, 2018, the District of Idaho modified his conditions to include participation in a substance abuse treatment program, drug testing, and placement in a Residential Reentry Center. On November 19, 2018, a Transfer of Jurisdiction was accepted by Your Honor. While waiting the Transfer of Jurisdiction, Cruz Santa Cruz secured a stable residence, and on December 10, 2018, his condition regarding Placement in a Residential Reentry Center was held in abeyance by Your Honor.

On April 29, 2019, Your Honor was informed that Cruz Santa Cruz failed to report on February 5, 2019 for a drug test and that he had a stalled drug test on March 4, 2019. Resulting from this stalled test, he did report to the probation office as directed on March 5, 6, and 7, 2019 for testing; all three tests were deemed invalid due to dilution. He was subsequently counseled and educated that too much hydration resulted in his sample dilution. Santa Cruz was also reminded he must comply with the drug testing program.

On November 11, 2019 this writer received a call that Cruz Santa Cruz was being arrested. According to the Las Vegas Metropolitan Police Department Declaration of Arrest Report, on November 11, 2019 at 6:28 a.m. a traffic stop was conducted on a white Mercedes Benz for speeding. The driver was identified as Cruz Santa Cruz and a record check revealed he had several active warrants for his arrest. He was subsequently placed under arrest and transported to the Clark County Detention Center for processing.

According to the Declaration of Warrant/Summons from the Las Vegas Metropolitan Police Department, on September 14, 2019 Yenifer Beleno was the victim of Domestic Battery with substantial bodily harm. Beleno and a friend, Sahily Rodriguez, returned to Belenos' residence after spending time at a local night club. At 11:02 p.m. Cruz Santa Cruz returned to their residence and they had a verbal argument which lead to a physical altercation. As Cruz Santa Cruz pushed Beleno against a hanging glass mirror, Beleno hit her head on the mirror causing a laceration. Rodriguez stated she witnessed Cruz Santa Cruz pushing and punching Beleno with closed fists, as well as kicking her multiple times about her body while she was on the ground. Rodriguez stated that as she attempted to help Beleno, she too was overpowered by Cruz Santa Cruz and sustained both kicks and punches from him.

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Also, according to the report, both Cruz Santa Cruz and Beleno where intoxicated, and as Rodriguez refused to press charges, she did not complete a voluntary statement and did not allow officers to take any pictures of her injuries. Beleno was transported to the University Medical Center with a three-inch laceration on her head. Beleno was uncooperative as well. She initially stated that she fell, but later said she instigated the fight with Cruz Santa Cruz because of jealousy. Beleno's health status is currently unknown as she has failed to return phone calls to the Las Vegas Metropolitan Police Department.

On October 14, 2019, a Criminal Complaint Case Number 19F20749X was filed with the Las Vegas Township Justice Court, in Clark County, Nevada, charging Battery resulting in substantial bodily harm constituting domestic violence (Category B Felony NRS 200.481; 200.485-noc 61677); Battery constituting domestic violence (Misdemeanor NRS 200.485(1)(a), 200.481(1)(A), 33.018 NOC 50235) and Battery (Misdemeanor NRS 200.481 NOC 50212).


At this time, Cruz Santa Cruz remains in state custody with a \$50,000 bond and is scheduled for a preliminary hearing on November 26, 2019 at 10:00 a.m. At this time, the U.S. Probation Office is requesting that a warrant be issued.

Respectfully submitted,

 Margarita Hernandez
Powell
2019.11.15 15:18:34
-08'00'

Margarita Hernandez Powell
United States Probation Officer

Approved:

 Digitally signed by Brian
Blevins
Date: 2019.11.15 15:12:19
-08'00'

Brian Blevins
Supervisory United States Probation Officer